

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

David Sanchez,

Case No. 3:17 MC 39

Petitioner

v.

ORDER

Warden, Chillicothe Correctional
Institution,

Respondent

Movant David Sanchez filed this Miscellaneous case with a Motion for Stay of Proceedings Regarding a Possible Need to File a Future Petition under 28 U.S.C. § 2254. As Mr. Sanchez has not filed a habeas petition with the Motion, however, there are no proceedings in this Court to stay at this time. The Motion to Stay is therefore denied and this case is dismissed without prejudice.

Movant may file a habeas corpus petition in a new civil action in this court. If he does so, he may then seek to stay a final determination in that case, pending exhaustion of his state court remedies. *Rhines v. Weber*, 544 U.S. 269 (2005).

So ordered.

/s/ James G. Carr

Sr. U.S. District Judge